

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

ASHFORD HOSPITALITY PRIME, INC.,

Plaintiff,

v.

SESSA CAPITAL (MASTER), L.P., SESSA CAPITAL GP, LLC,
SESSA CAPITAL IM, L.P., SESSA CAPITAL IM GP, LLC,
JOHN E. PETRY, PHILIP B. LIVINGSTON, LAWRENCE A.
CUNNINGHAM, DANIEL B. SILVERS and CHRIS D.
WHEELER,

Defendants;

SESSA CAPITAL (MASTER), L.P.,

Counterclaim-Plaintiff;

v.

ASHFORD HOSPITALITY PRIME, INC.,

Counterclaim-Defendant;

SESSA CAPITAL (MASTER), L.P.

Third-Party Plaintiff,

v.

ASHFORD INC., ASHFORD HOSPITALITY ADVISORS LLC,
MONTY J. BENNETT, DOUGLAS A. KESSLER, STEFANI D.
CARTER, CURTIS B. MCWILLIAMS, W. MICHAEL
MURPHY, MATTHEW D. RINALDI, and ANDREW
STRONG,

Third-Party Defendants.

NO. 3:16-cv-00527-N

**NOTICE OF APPEAL TO THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

Notice is hereby given pursuant to Federal Rule of Appellate Procedure 3(a) that Defendants Sessa Capital (Master), L.P., Sessa Capital GP, LLC, Sessa Capital IM, L.P., Sessa Capital IM GP, LLC, John E. Petry, Philip B. Livingston, Lawrence A. Cunningham, Daniel B. Silvers and Chris D. Wheeler, and Counterclaimant and Third-Party Plaintiff Sessa Capital (Master), L.P., appeal to the United States Court of Appeals for the Fifth Circuit from the district court's May 20, 2016 Order (ECF No. 107) denying Sessa Capital's Motion for Preliminary Injunction and Motion to Expand the Scope of Relief in Sessa Capital's Motion for Preliminary Injunction .

Dated: May 23, 2016

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Daniel B. Silvers, Chris D. Wheeler***

CERTIFICATE OF SERVICE

On May 23, 2016, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all counsel and/or pro se parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

s/ Paul J. Skiermont

Paul J. Skiermont